

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

Claims 1-30 are pending in the application. Applicants would like to thank the Examiner for indicating allowable subject matter in claims 4-6, 13-15 and 22-24.

Claims 7-10, 14-20, 23-24 and 26-27 are rejected under 35 USC §112, second paragraph, as being indefinite.

Claims 7, 16 and 26 are amended herewith to provide antecedent basis for means for driving the first and second conveyors. In addition, claims 14 and 23 are amended to replace "the drive of the machine" with "said means for moving the web", which was previously recited in independent claims 11 and 21, respectively.

Accordingly, the 35 USC §112, second paragraph rejection is believed addressed and withdrawal of this rejection is respectfully requested.

Claims 1-3, 7-12, 16-21 and 25-30 are rejected as anticipated by JOHNSON 6,350,340. This rejection is respectfully traversed.

Independent claim 1 provides that the means for retaining or engaging the zipper strip of both the first and second conveyor include vacuum means that retain or engage the

zipper strip at various locations along a length of the zipper strip.

Figures 20A and 20B of JOHNSON (noted in the Official Action) and their supporting disclosure at column 15, lines 27-40, disclose that a first conveyor (rubber belt 2130D) is driven and causes rotation of a nip roller 2115. The nip roller 2115 works in conjunction with a nip roller 2113. As disclosed at column 15, lines 38-40, tape 100 is advanced by nip rollers 2113 and 2115.

As further disclosed at column 15, lines 44-58 of JOHNSON, the tape segment is cut by a cutting blade 2121 to form a cut tape segment 270. The cut tape segment 270 is then caused to advance to a vacuum belt 2132 that picks up the leading edge of the cut tape segment 270 and advances it over web 110 where a sealing is applied as shown in Figure 20A.

Accordingly, JOHNSON discloses a pair of nip rollers 2113 and 2115 that engage the zipper strip using the frictional forces between the nip rollers and then uses a vacuum belt 2132 to maintain the cut strip 270 in engagement. Therefore, only the second conveyor (vacuum belt 2132) of JOHNSON includes a vacuum means. JOHNSON does not disclose or suggest that both the first and second conveyor include vacuum means.

As the reference does not disclose that which is recited, the anticipation rejection cannot be maintained as to

claim 1. Claims 2 and 3 and 7-10 depend from claim 1 and further define the invention and are also believed patentable over JOHNSON.

Independent claim 11 provides that a first and second conveyor are positioned below a process path of the web to support the zipper strip.

As disclosed at column 15, lines 49-58 of JOHNSON, the vacuum belt picks up the leading edge of the tape and advances it over the web. A spring-loaded zipper 2109A moves upwardly causing the leading edge of the tape 270 to spring upward against the vacuum belt 2132 so as to facilitate advancement of tape 270.

Accordingly, at least the second conveyor (vacuum belt 2132) of JOHNSON is above the zipper strip. JOHNSON does not disclose or suggest that the first conveyor and the second conveyor are positioned below the process path of the web to support the zipper strip, as recited in claim 11. Claims 12 and 16-20 depend from claim 11 and further define the invention and are also believed patentable over JOHNSON.

Independent claim 21 provides that the first conveyor and the second conveyor are similar and are driven by one single drive. Claim 21 also provides that the means for retaining or engaging the zipper include vacuum means.

As set forth above with respect to claim 1, the first conveyor of JOHNSON is a nip roller assembly that includes nip

rollers 2113 and 2115. The second conveyor of JOHNSON is vacuum belt 2132. Accordingly, the first and second conveyors of JOHNSON are not similar.

In addition, as further set forth above with respect to claim 1, JOHNSON does not disclose or suggest that both the first and second conveyor have means for retaining or engaging the zipper strip that include vacuum means.

As the reference does not disclose that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection as to claim 21 are respectfully requested. Claims 25-29 depend from claim 21 and further define the invention and are also believed patentable over JOHNSON.

Independent claim 30 provides means for supplying that comprises a conveyor positioned transverse to the process path. The conveyor is positioned to support the zipper strip and is provided with vacuum operated means for retaining the zipper strip during supply and pre-sealing at the lower side of the web.

As set forth above with respect to claim 11, the vacuum belt of JOHNSON engages the zipper strip from above and does not retain the zipper strip at a lower side of the web, as recited.

Accordingly, the foregoing rejection cannot be maintained.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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